



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION I
5 POST OFFICE SQUARE
BOSTON, MASSACHUSETTS 02109**

April 30, 2013

Alan Kosloff
Levy & Droney
28 North Main Street
West Hartford, CT 06107

Re: In the Matter of: Danny Corp., Docket No. TSCA-01-2006-0060

Dear Mr. Kosloff:

By letter dated January 4, 2013, EPA commented on deficiencies in the Phase III Site Characterization Plan dated November 30, 2012, and submitted by Stantec Consulting Services on behalf of Danny Corp. Two of the deficiencies identified were:

1. Page 18, Data Gaps. Pursuant to paragraph 29(c) of the Second Amended Consent Agreement, the Phase III Site Characterization Plan is required to include "all" areas of the Site not previously addressed. Omitting "porous and non-porous surfaces including buildings, steel, and other structural building components" is not acceptable, and, if the omission is not corrected, would violate the Consent Agreement. Please amend the Plan to remedy this defect by January 30, 2013.
2. Page 19, Proposed Schedule. The schedule is too long. Please amend the schedule to ensure that all sampling is complete by the end of calendar 2013.

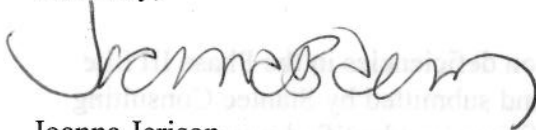
We have reviewed the Revised Phase III Site Characterization Work Plan dated January 10, 2013. Unfortunately, the revised Phase III Plan still is deficient, and the proposed additional sampling would still not be sufficient to develop a Site-wide cleanup plan, as required by the Consent Agreement. Data collected to date only addresses surficial soil and limited building concrete floors; the proposed additional sampling would also be limited to surficial soils and surfaces, would not address all buildings and other structures, and would not further delineate contamination at the Site previously identified by Weston Reports. Groundwater, surface water, and sediment would also not be addressed. The Plan recognizes the deficiencies: page 18, section 7, "Data Gaps," identifies further work that would be necessary in order to develop a cleanup plan. But the Consent Agreement requires that the Phase III Characterization Plan cover "all" areas of the Site not previously characterized or remediated, not just some.

As to the proposed schedule: In response to Danny Corp.'s claim that it cannot afford to perform the characterization on the schedule EPA required, our financial analyst, Mary Medeiros, reviewed the financial documentation provided by Dwight Johnson, and concluded that the company does have the ability to perform the required sampling in one year, based on its current assets.

Because the deficiencies in the Site Characterization Plan have not been corrected, EPA cannot accept the Plan under the Consent Agreement, and Danny Corp. is in violation of its obligations. Please submit a corrected plan no later than May 17. EPA considers stipulated penalties pursuant to paragraph 35 to be running from the date of this letter, but will not make demand for payment of those penalties if the deficiencies are corrected by May 17.

If you would like to discuss this further, please call me at 617-918-1781, or have Stantec call Marianne Milette at 617-918-1854.

Sincerely,



Joanna Jerison
Legal Enforcement Manager

cc: Marianne Milette
Kim Tisa
Catherine Smith, EPA